

over cork) "Golden Eagle—Golden Eagle Wine Co.—Sandusky, Ohio." Analysis of a sample of the product by said Bureau of Chemistry showed the following results:

Specific gravity.....	1. 0764
Alcohol (per cent by volume).....	14. 33
Solids (grams per 100 cc).....	24. 62
Nonsugar solids (grams per 100 cc).....	3. 22
Reducing sugar, before inversion (grams per 100 cc).....	21. 52
Sucrose by copper.....	0. 0
Polarization, direct, at 20° C. (°V.).....	—26. 0
Polarization, invert, at 20° C. (°V.).....	—26. 4
Polarization, invert, at 87° C. (°V.).....	0
Ash (grams per 100 cc).....	0. 205
Alkalinity soluble ash (grams per 100 cc).....	14. 0
Alkalinity insoluble ash (grams per 100 cc).....	9. 4
Acid as tartaric (grams per 100 cc).....	0. 638
Volatile acid as acetic (grams per 100 cc).....	0. 151
Fixed acid as tartaric (grams per 100 cc).....	0. 449
Total tartaric acid (grams per 100 cc).....	0. 192
Free tartaric acid.....	0. 0
Cream of tartar (grams per 100 cc).....	0. 241
Tartaric acid to alkaline earths.....	0
Chlorin (Cl) (grams per 100 cc).....	0. 0207

Adulteration of the article was alleged in the information for the reason that a product made in whole or in part from wine or wines other than scuppernong wine, sweetened, flavored, and mixed in imitation of scuppernong wine, had been substituted wholly or in part for genuine scuppernong wine, which the article purported to be. Misbranding of the product was alleged for the reason that the statement "Scuppernong Wine," borne on the label, was false and misleading, in that it conveyed the impression that the product was genuine scuppernong wine, whereas, in truth and in fact, it was a product prepared in whole or in part from wine or wines other than scuppernong wine, sweetened, flavored, and mixed in imitation of scuppernong wine. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser, being labeled "Scuppernong Wine," when, as a matter of fact, it was not such, but was a product prepared in whole or in part from wine or wines other than scuppernong wine, sweetened, flavored, and mixed in imitation of scuppernong wine.

On February 3, 1914, the defendant company entered a plea of nolo contendere to the information and the court imposed a fine of \$100 and costs.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

3347. Misbranding of "Gran Liquore Della Stella." U. S. v. Guiseppe Citro and Joachim A. Castagna (G. Citro & Co.). Plea of non vult. Fine, \$25. (F. & D. No. 4846. I. S. No. 19080-d.)

On April 9, 1913, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Guiseppe Citro and Joachim A. Castagna, doing business as G. Citro & Co., Hoboken, N. J., alleging shipment by said defendants in violation of the Food and Drugs Act, on

or about August 5, 1911, from the State of New Jersey into the State of Pennsylvania, of a quantity of a product called "Gran Liquore Della Stella" which was misbranded. The bottles containing the product were labeled: (Neck label) "Stomachic digestive." Imprint in glass of sun with paster label in center with the words, "Marca Di Fabrica De Positata," and a foreign coat of arms. (Principal label) "Gran Liquore Della Stella" (foreign coat of arms and coat of arms with several gold medals) "Elixir Tonico Stomatico."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	31.00
Methyl alcohol: None.	
Solids (grams per 100 cc)-----	22.21
Nonsugar solids: Practically none.	
Sucrose (grams per 100 cc)-----	22.16
Reducing sugars direct (grams per 100 cc)-----	0.15
Ash (grams per 100 cc)-----	0.010
Test for coal tar color: Positive; the color is Naphthol Yellow S.	

Misbranding of the product was alleged in the information for the reason that the statements "Marca Di Fabrica De Positata," "Gran Liquore Della Stella," "Elixir Tonico Stomatico," together with a device on the label of each of the bottles representing a foreign coat of arms and medals, were false and misleading, because they created the impression that the said liquor was a foreign product, when, in truth and in fact, it was manufactured in the United States and therefore the said liquor was falsely branded as to the country in which it was manufactured. Misbranding was alleged for the further reason that said liquor was labeled and branded so as to deceive and mislead the purchaser, the said product being labeled "Stomachic-digestive. Marca Di Fabrica De Positata. Gran Liquore Della Stella Elixir Tonico Stomatico," and branded with a foreign coat of arms and several gold medals, thereby creating the impression that the product was of foreign origin, whereas, in truth and in fact, the said product was manufactured in the United States, and therefore, said liquor was falsely branded as to the country in which it was manufactured. Misbranding was alleged for the further reason that said liquor purported to be a foreign product, whereas, in truth and in fact, it was not a foreign product, the statements "Stomachic-digestive," "Marca Di Fabrica De Positata," "Gran Liquore Della Stella," "Elixir Tonico Stomatico," together with the device of a foreign coat of arms and several gold medals on the labels, being such as to convey the impression that said liquor was a product of Italy, when, in truth and in fact, the said liquor was not a product of Italy but a product of the United States. Misbranding was alleged for the further reason that in being a drug as well as a food the said liquor contained alcohol but the package containing said liquor failed to bear a statement on the label of the quantity or proportion of such alcohol contained therein.

On March 17, 1914, the defendant Castagna retracted his plea of not guilty theretofore entered and entered a plea of non vult, and the court imposed a fine of \$50, which was later remitted to a fine of \$25. The defendant Citro died before the case was terminated.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., September 24, 1914.